

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

8

APPLICANT(S): Millard E. Sweatt, et al.
APPLICATION NO.: 09/925,109
FILING DATE: August 8, 2001
TITLE: Method & System for Remote Television Replay Control
EXAMINER: Not Yet Known
GROUP ART UNIT: 2152
ATTY. DKT. NO.: 22407-05391

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<i>Martin S. C. Loui</i>		
Typed or Printed Name:	Martin S. C. Loui, Reg. No.: 43,411	Dated:	July 3, 2002
Express Mail Mailing Number (optional):			

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PETITION UNDER 37 C.F.R. 1.53

SIR:

Please find below a petition under 37 C.F.R. 1.53 to correct the filing date of the above-referenced utility patent application to reflect the correct filing date of August 8, 2001, pursuant to 37 C.F.R. 1.10. Applicants attach as Exhibit A, a copy of the Return Postcard and Filing Receipt dated January 18, 2002 indicating an incorrect filing date of August 9, 2001.

Attached as Exhibit B with this petition to show the date of deposit of the above-referenced patent application using the "Express Mail" mailing label is a true copy of the "Express Mail" mailing label without the "date-in" stamp from the United States Postal Service (USPS). A true copy of the "Express Mail" mailing label showing the "date-in stamp" is unavailable. Accordingly, Applicants submit the USPS Shipping History obtained online at

http://trkcnfrm1.smi.usps.com/netdata-cgi/db2www/cbd_243.d2w/detail for the corresponding "Express Mail" mailing label to show the date of deposit of the above-referenced application as August 8, 2001. The Shipping History is attached as Exhibit C.

Applicants respectfully request that the filing date be corrected to August 8, 2001.

Respectfully submitted,
MILLARD E. SWEATT, ET AL.

Dated: _____

July 3, 2002

By: _____

Martin S. C. Loui

Martin S. C. Loui, Reg. No.: 43,411

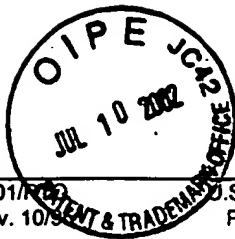
Fenwick & West LLP

Two Palo Alto Square

Palo Alto, CA 94306

Tel.: (650) 858-7901

Fax.: (650) 494-1417



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PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0001/Rev. 10/92 U.S. Department of Commerce
Patent and Trademark Office

TRANSMITTAL FORM

(to be used for all correspondence during pendency of
filed application)

Application Number	09/925,109
Filing Date	August 8, 2001
First Named Inventor	Millard E. Sweatt III
Group Art Unit Number	2152
Examiner Name	Not Yet Known
Total Number of Pages in This Submission	9
Attorney Docket Number	22407-05391

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Petition Under 37 C.F.R. 1.53 <input checked="" type="checkbox"/> Copy of Filing Receipt (Exhibit A) <input checked="" type="checkbox"/> Copy of Postcard (Exhibit A) <input checked="" type="checkbox"/> Copy of Express Mail (Exhibit B) <input checked="" type="checkbox"/> Copy of USPS shipping history (Exhibit C) <input type="checkbox"/>
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REMARKS:

SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>Martin S. C. Loui</i>	
Attorney/Reg. No.:	Martin S. C. Loui, Reg. No. 43,411	Dated: July 3, 2002

CERTIFICATE OF MAILING

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Signature:	<i>Martin S. C. Loui</i>	
Typed or Printed Name:	Martin S. C. Loui	Dated: July 3, 2002
Express Mail Mailing Number (optional):		

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/2001	U.S. Department of Commerce Patent and Trademark Office	Complete if Known	
FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$130.00)		Application Number	09/925,109
		Filing Date	August 8, 2001
		First Named Inventor	Millard E. Sweatt III
		Group Art Unit	2152
		Examiner Name	Not Yet Known
		Attorney Docket Number	22407-05391

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METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.† <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	JUL 15 2002 OFFICE OF PETITIONS																																																																																																																
FEE CALCULATION (fees effective 10/01/2001) 1. FILING FEE <table style="width:100%;"> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> <tr> <td>101/\$740</td> <td>201/\$370</td> <td>Utility Filing</td> <td><input type="text"/></td> </tr> <tr> <td>106/\$330</td> <td>206/\$165</td> <td>Design Filing</td> <td><input type="text"/></td> </tr> <tr> <td>108/\$740</td> <td>208/\$370</td> <td>Reissue</td> <td><input type="text"/></td> </tr> <tr> <td>114/\$160</td> <td>214/\$80</td> <td>Provisional Filing</td> <td><input type="text"/></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$).00</td> </tr> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	101/\$740	201/\$370	Utility Filing	<input type="text"/>	106/\$330	206/\$165	Design Filing	<input type="text"/>	108/\$740	208/\$370	Reissue	<input type="text"/>	114/\$160	214/\$80	Provisional Filing	<input type="text"/>	SUBTOTAL (1)			(\$).00	3. 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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Martin S. C. Loui	Reg. Number	43,411
Signature	<i>Martin S. C. Loui</i>	Date	July 3, 2002

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

EXHIBIT A**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/925,109	08/09/2001 08	2152	2262	22407-05391	34	59	12

CONFIRMATION NO. 2738

00758
FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

UPDATED FILING RECEIPT

OC000000007330546

Date Mailed: 01/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Millard E. Sweatt III, Menlo Park, CA;
Don Woodward, Los Altos, CA;
Chris E. Matichuk, San Jose, CA;
Gurminder Sunner, San Jose, CA;
Alain Regnier, Sunnyvale, CA;
Sunil Mohan, Los Gatos, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/223,856 08/08/2000
AND CLAIMS BENEFIT OF 60/248,313 11/14/2000
AND CLAIMS BENEFIT OF 60/258,937 12/29/2000
AND CLAIMS BENEFIT OF 60/258,940 12/29/2000

Foreign Applications

If Required, Foreign Filing License Granted 09/12/2001

Projected Publication Date: 05/02/2002

Non-Publication Request: No

Early Publication Request: No

Title

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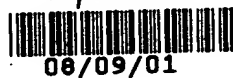
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Date Mailed: August 8, 2001	Atty/Sec: SLO/tmt	Filing Date: August 8, 2001
Application No.: Not Yet Assigned	Docket No.: 22407-05391	
Applicant(s): Millard E. Sweatt, III		
Title: Method and System For Remote Television Replay		

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- ☒ New Utility Application Transmittal
- ☒ Fee Transmittal (in duplicate)
- ☒ 9 pages of Specification, Claims & Abstract
- ☒ 37 sheets of drawings
- ☒ Declaration (2 page - partially executed)
- ☒ Power of Attorney (3 pages - partially executed)
- ☒ Assignment & Recordation Cover Sheet (8 pages - partially executed)
- ☒ Application Data Sheet (2 sheets)
- ☒ Checks in the amount of
\$710.00 / Filing Fee, \$702.00 / Extra Total Claims, \$720.00.00 / Extra Independent Claims
& \$40.00 / Assignment Recordation Fee
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Shipment History

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Your item was delivered at 6:53am on August 10, 2001 in WASHINGTON, DC 20231 to PATENTS 20231. The item was signed for by D KIRKLAND.

Here is what happened earlier:

- ARRIVAL AT UNIT, August 10, 2001, 4:46am, ZIP Code 20096
- ENROUTE, August 09, 2001, 2:27pm
- [REDACTED] 10:00pm, SAN FRANCISCO, CA 94128

Enter number from shipping receipt in the field below:

[Request Delivery Record >](#)



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